

TRAJAN PAUL GREEN
FULL NAME

COMMITTED NAME(if different)

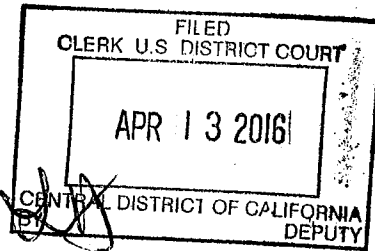
CALIFORNIA MEN'S COLONY

FULL ADDRESS INCLUDING NAME OF INSTITUTION

P.O.Box 8103-San Luis Obispo, CA 93409

AT-6602

PRISON NUMBER(if applicable)



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

TRAJAN PAUL GREEN

PLAINTIFF,

v.

MOULTRIE, Deputy Sheriff, San Bernardino County, SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT, RON BALDWIN, Food Service Supervisor, San Bernardino County Sheriff's Department, PAYNE, Deputy Sheriff, San Bernardino County, KULOWSKI, Deputy Sheriff, San Bernardino County, DIEZ, Deputy Sheriff, San Bernardino County, CALDERON, Lead Nurse, San Bernardino County Sheriff's Department Correctional Health Services, WARREN, Deputy Sheriff, San Bernardino County, MACIAS, Deputy Sheriff, San Bernardino County, WILLIAMS, Deputy Sheriff, San Bernardino County, A. HIST, Sheriff's Sergeant, San Bernardino County, NAKASIO, Nurse, San Bernardino County Sheriff's Department Correctional Health Services, FOXWELL, Deputy Sheriff, San Bernardino County, CURTIS, Deputy Sheriff, San Bernardino County

DEFENDANT(S).

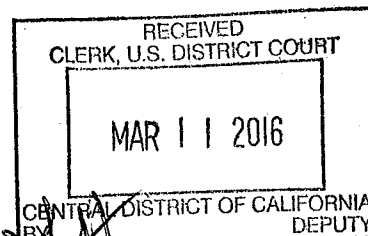
CASE NUMBER

CV16-00698JGB(KES)

To be supplied by the Clerk

CIVIL RIGHTS COMPLAINT
PURSUANT TO (Check one)

- ☒ 42 U.S.C. §1983
☐ Bivens v. Six Unknown Agents
 403 U.S. 388 (1971)



A. PREVIOUS LAWSUITS

1. Have you brought any other lawsuits in a federal court while a prisoner: ☒ Yes ☐ No
2. If your answer to "1." is yes, how many? 1

Describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on an attached piece of paper using the same outline.)

Eighth Amendment violation, which forbids "cruel and unusual punishments"/
Excessive use of force.

- a. Parties to this previous lawsuit:
Plaintiff TRAJAN PAUL GREEN

Defendants R. BOGGUST, et al.

- b. Court Southern Division - 411 West Fourth Street, Ste.# 1053
Santa Ana, CA 92701

- c. Docket or case number 5:15-cv-02578-JGB-KES

- d. Name of judge to whom case was assigned Magistrate Judge Karen E. Scott/Judge Bernal

- e. Disposition (For example: Was the case dismissed? If so, what was the basis for dismissal? Was it
appealed? Is it still pending?) Pending

- f. Issues raised: Racial Discrimination, Deliberate Indifference, Eighth
Amendment violation, Assault and Battery, Fourteenth Amendment
Violation

- g. Approximate date of filing lawsuit: December 22, 2015

- h. Approximate date of disposition _____

B. EXHAUSTION OF ADMINISTRATIVE REMEDIES

1. Is there a grievance procedure available at the institution where the events relating to your current complaint occurred? ☒ Yes ☐ No
2. Have you filed a grievance concerning the facts relating to your current complaint? ☒ Yes ☐ No

If your answer is no, explain why not _____

3. Is the grievance procedure completed? ☒ Yes ☐ No

If your answer is no, explain why not _____

4. Please attach copies of papers related to the grievance procedure. (See attached Exhibits A-J)

C. JURISDICTION-Plaintiff also invokes the doctrine of supplemental (former
"pendent") jurisdiction.

This complaint alleges that the civil rights of plaintiff TRAJAN PAUL GREEN

(print plaintiff's name)

who presently resides at CMC-West, P.O. Box 8103-San Luis Obispo, CA 93409

(mailing address or place of confinement)

were violated by the actions of the defendant(s) named below, which actions were directed against plaintiff at
San Bernardino County Central & West Valley Detention Center Jails

(institution/city where violation occurred)

on (date or dates) January 7, 2014, to March 24, 2014
(Claim 1)

NOTE: You need not name more than one defendant or allege more than one claim. If you are naming more than five (5) defendants, make a copy of this page to provide the information for additional defendants.

1. Defendant Moultrie resides or works at
(full name of first defendant)
9500 Etiwanda Ave., Rancho Cucamonga, CA 91739
(full address of first defendant)
San Bernardino County Deputy Sheriff
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☐ official capacity.

Explain how this defendant was acting under color of law:

Working/carrying out duties as an employee of the San Bernardino
County Sheriff's Dept.

2. Defendant Ron Baldwin resides or works at
(full name of first defendant)
9500 Etiwanda Ave., Rancho Cucamonga, CA 91739
(full address of first defendant)
Food Service Supervisor
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☐ official capacity.

Explain how this defendant was acting under color of law:

Working/carrying out duties as an employee of the San Bernardino
County Sheriff's Dept.

3. Defendant San Bernardino County Sheriff's Department resides or works at
(full name of first defendant)
655 E. Third Street - San Bernardino, CA 92415
(full address of first defendant)
Administration Office
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☐ individual ☒ official capacity.

Explain how this defendant was acting under color of law:

Administering the County's Sheriff's Business

on (date or dates) _____,
(Claim I) (Claim II) (Claim III)

NOTE: You need not name more than one defendant or allege more than one claim. If you are naming more than five (5) defendants, make a copy of this page to provide the information for additional defendants.

4. Defendant Payne _____ resides or works at
(full name of first defendant)
630 E. Rialto Ave., San Bernardino, CA 92415
(full address of first defendant)
San Bernardino County Deputy Sheriff
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☒ official capacity.

Explain how this defendant was acting under color of law:

Working/carrying out duties as an employee of the San Bernardino
County Sheriff's Dept.

5. Defendant Kulowski _____ resides or works at
(full name of first defendant)
655 E. Third Street - San Bernardino, CA 92415
(full address of first defendant)
Transportation Deputy Sheriff
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☒ official capacity.

Explain how this defendant was acting under color of law:

Working/carrying out duties as an employee of the San Bernardino
County Sheriff's Dept.

6. Defendant Diez _____ resides or works at
(full name of first defendant)
9500 Etiwanda Ave., Rancho Cucamonga, CA 91739
(full address of first defendant)
San Bernardino County Deputy Sheriff
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☒ official capacity.

Explain how this defendant was acting under color of law:

Working/carrying out duties as an employee of the San Bernardino
County Sheriff's Dept.

on (date or dates) _____, _____, _____
(Claim I) (Claim II) (Claim III)

NOTE: You need not name more than one defendant or allege more than one claim. If you are naming more than five (5) defendants, make a copy of this page to provide the information for additional defendants.

10. Defendant Williams _____ resides or works at
(full name of first defendant)
9500 Etiwanda Ave., Rancho Cucamonga, CA 91739
(full address of first defendant)
San Bernardino County Deputy Sheriff
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☐ official capacity.

Explain how this defendant was acting under color of law:

Working/carrying out duties as an employee of the San Bernardino
County Sheriff's Dept.

11. Defendant A. Hist _____ resides or works at
(full name of first defendant)
9500 Etiwanda Ave., Rancho Cucamonga, CA 91739
(full address of first defendant)
San Bernardino County Sheriff Sergeant
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☐ individual ☒ official capacity.

Explain how this defendant was acting under color of law:

Working/carrying out duties as an employee of the San Bernardino
County Sheriff's Dept.

12. Defendant Nakasio _____ resides or works at
(full name of first defendant)
9500 Etiwanda Ave., Rancho Cucamonga, CA 91739
(full address of first defendant)
Correctional Health Services Nurse
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☐ individual ☒ official capacity.

Explain how this defendant was acting under color of law:

Working/carrying out duties as an employee, contractor, agent or
subsidiary of the San Bernardino County Sheriff's Dept.

13. Defendant Foxwell _____ resides or works at
(full name of first defendant)
9500 Etiwanda Ave., Rancho Cucamonga, CA 91739
(full address of first defendant)
San Bernardino County Deputy Sheriff
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☒ official capacity.

Explain how this defendant was acting under color of law:

Working/carrying out duties as an employee of the San Bernardino
County Sheriff's Dept.

14. Defendant Curtis _____ resides or works at
(full name of first defendant)
9500 Etiwanda Ave., Rancho Cucamonga, CA 91739
(full address of first defendant)
San Bernardino County Deputy Sheriff
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☒ official capacity.

Explain how this defendant was acting under color of law:

Working/carrying out duties as an employee of the San Bernardino
County Sheriff's Dept.

D. CLAIMS*

CLAIM I

The following civil right has been violated:

Eighth Amendment violation; the unnecessary and wanton infliction of
pain; deliberate indifference, coupled with a malicious and sadistic
act with the very specific intent to cause harm and deprivation.

Supporting Facts: Include all facts you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be certain you describe, in separately numbered paragraphs, exactly what each DEFENDANT (by name) did to violate your right.

See attached, pp. 10-14

**If there is more than one claim, describe the additional claim(s) on another attached piece of paper using the same outline.*

1. On January 2, 2014 Plaintiff was seen by San Bernardino County Sheriff's Department Correctional Health Services Dietician Mrs. Coleman for medical/health issues, predominantly that Plaintiff suffers from Gastrointestinal Disorder. Dietician Mrs. Coleman immediately ordered for Plaintiff to begin receiving a "special diet," as well as two (2) supplemental in-between-meal snacks (see INMATE GRIEVANCE INVESTIGATION #1434G01109 dated February 2, 2014, under "FINDINGS," attached hereto as Exhibits "D") for the specific purposes of Plaintiff not being able to consume his daily medications on an empty stomach, as a very direct result of Plaintiff's gastrointestinal disorder.

2. On January 7, 2014 Plaintiff "WAS NOT FED LUNCH" (i.e., deliberate indifference of the Plaintiff's need for his medically ordered "special diets" by Defendant's Food Service Supervisor Ron Baldwin, Deputy Payne, Deputy Kulowski, Deputy Diez, Deputy Warren, Deputy Macias, and Correctional Health Services Lead Nurse in Charge, Ms. Calderon) and on January 8, 2014 Plaintiff filed a four (4) page INITIAL INMATE GRIEVANCE regarding the matter (see attached hereto as Exhibit "A"). That grievance was not addressed/responded to.

3. On January 8, 2014 Plaintiff filed another INITIAL INMATE GRIEVANCE on a Correctional Health Services Nurse and on a Dr. P. On January 15, 2014 an INMATE GRIEVANCE INVESTIGATION #301401016 was completed (see attached hereto as Exhibit "B").

4. On January 19/20, 2014 Plaintiff filed another INITIAL INMATE GRIEVANCE, RE: SPECIAL DIET, NO PM SNACK GIVEN (i.e., deliberate indifference of the Plaintiff's need for his medically ordered "special diets" by Defendant Food Service Supervisor Ron Baldwin) (see attached hereto as Exhibit "C"). On February 1, 2014 an INMATE MEDICAL GRIEVANCE INVESTIGATION was completed, and on February 2, 2014 another INMATE GRIEVANCE INVESTIGATION was also completed, both Grievance's numbered 1434G01109 (see attached hereto as Exhibit's "D").

5. On January 26, 2014 Plaintiff filed another INITIAL INMATE GRIEVANCE, RE: DIET, AGAIN DID NOT RECEIVE BREAKFAST (i.e. again, deliberate indifference of the Plaintiff's need for his medically ordered "special diets" by Defendant Food Service Supervisor Ron Baldwin) (see attached hereto as Exhibit "E"). That grievance also was not addressed/responded to.

6. On March 9, 2014 Plaintiff filed another INITIAL INMATE GRIEVANCE of an incident of Plaintiff not being fed dinner on March 8, 2014 (i.e. again, deliberate indifference of the Plaintiff's need for his medically ordered "special diets" by Defendant's Deputy Williams, Deputy Moultrie, Sergeant A. Hist, and Correctional Health Services Nurse Nakasio) (see attached hereto as Exhibit "F"). From the time of the incident on March 8, 2014, three (3) Deputy's (i.e., Defendant's Foxwell, Moultrie, and Curtis) in addition to the Staff Sergeant on duty on March 10th, all refused to sign Plaintiff's grievance. After much diligence and perserverance by Plaintiff, the grievance was finally signed by a non-involved Deputy Chau, three (3) days later on March 11th (see again, attached hereto as Exhibit "F").

7. On March 10, 2014 Plaintiff again did not receive his AM Meal Snack (i.e. again, deliberate indifference of the Plaintiff's need for his medically ordered "special diets" by Defendant Food Service Supervisor Ron Baldwin). Plaintiff informed again both Defendant's, Deputies Foxwell & Moultrie, which they said they would check-on it. When Plaintiff made inquiry minutes later of Defendant Deputy Foxwell, he ignored Plaintiff. Plaintiff then asked Defendant Deputy Foxwell for a grievance to report the incident, but Defendant Deputy Foxwell told Plaintiff "NO!" (i.e., deliberate indifference of the Plaintiff's need for his medically ordered "special diets" by Defendant's Deputies Foxwell & Moultrie).

8. On March 14, 2014 an INMATE GRIEVANCE INVESTIGATION #1434G03071 was completed (see attached hereto as Exhibit "G").

9. On March 24, 2014 Plaintiff filed another INITIAL INMATE GRIEVANCE (see attached hereto as Exhibit "H"). Defendant Deputy Moultrie denied Plaintiff and another Muslim inmate the opportunity to obtain their eating utensils to eat their dinner meal with. Defendant Deputy Moultrie instructed Plaintiff to eat his meal with his fingers. Defendant Deputy Moultrie further stated to Plaintiff "that he didn't give-a-fuck if [Plaintiff] was able to eat or not because he was getting off work soon and he was going to eat!" (deliberate indifference of the Plaintiff's need for his medically ordered "special diets," coupled with a malicious and sadistic act with the intent to purposefully cause harm and deprivation by Defendant Deputy Moultrie)

10. Plaintiff tried again very respectfully to explain to Defendant

Deputy Moultrie that Plaintiff has serious health/stomach complications (i.e., Gastrointestinal Disorder) and that Plaintiff must eat/have food on his stomach in order to take/consume Plaintiff's nightly medication, although Defendant Deputy Moultrie still denied Plaintiff (i.e. again, deliberate indifference of the Plaintiff's need for his medically ordered "special diets," coupled with a malicious and sadistic act with the very specific intent to cause harm and deprivation by Defendant Deputy Moultrie).

11. As a very direct result, Defendant Deputy Moultrie again caused Plaintiff's stomach severe pain and discomfort, and as another very direct result Plaintiff had to refuse to take his much needed/required nightly medications. Lastly, Defendant Deputy Moultrie also refused to provide Plaintiff with a grievance form to properly report the incident (i.e. again, deliberate indifference of the Plaintiff's need to report a grievance, coupled with a malicious and sadistic act with the very specific intent to cause harm and deprivation by Defendant Deputy Moultrie).

12. On March 30, 2014 a "first" INMATE GRIEVANCE INVESTIGATION #1434G0141 was completed (see attached hereto as Exhibit "I").

13. At some point after that a Sergeant K. Owens conducted either another, or a further investigation, at which time Sgt. Owens personally informed Plaintiff that Defendant Deputy Moultrie did indeed admit to Plaintiff's allegations, but due to Sheriff Department regulations, Sgt. Owens could not disclose to Plaintiff any disciplinary actions that were to be taken against Defendant Deputy Moultrie (see "second" INMATE GRIEVANCE INVESTIGATION #1434G03141(1) dated May 10, 2014, attached hereto as Exhibit "J").

14. The "seriousness" of Plaintiff's gastrointestinal disorder, if not addressed by way of proper diet, significantly affects Plaintiff's daily well-being by severely eliminating his ability to adequately perform his required daily activities. As Plaintiff explained to the San Bernardino County Sheriff's Department Correctional Health Services Staff in August of 2013 and then again to Dietician Mrs. Coleman on January 2, 2014, Plaintiff experiences "**SEVERE**" stomach cramping and pains upon not consuming a proper diet, and/or by taking medications on an empty stomach.

15. The above described symptoms are outwardly visible by Plaintiff as he cannot function normally, forced to lay-down and curl-up in a ball-of-

excruciating pain. In those severe situations Plaintiff will lose complete consciousness from the excruciating pain and pass-out, as happened twice (see again, attached hereto as Exhibit "B" under COMPLAINT). Plaintiff has suffered from gastrointestinal disorder from an early age of 20 years-old, first being diagnosed as lactose intolerant, and later diagnosed with bleeding ulcers.

16. "To establish an Eighth Amendment violation, a prisoner 'must satisfy both the objective and subjective components of a two-part test.'"

17. The deliberate indifference standard requires a Plaintiff to show that the Defendants had actual knowledge of an objectively cruel condition (in medical cases, a serious medical need; in Plaintiff's case, ordered special medical diets in addition to two (2) supplemental in-between-meal-snacks as a very direct result of Plaintiff's gastrointestinal disorder/inability to take medications on an empty stomach) "failure to treat [that] condition could or did result in further significant injury or the unnecessary and wanton infliction of pain."

18. However, the subjective component requires a Plaintiff to also allege facts which show that the Defendants had the culpable mental state, which is "'deliberate indifference' to a substantial risk of serious harm." "Deliberate indifference" is evidenced only when "the [Defendants] knows of and disregards an excessive risk to inmate health or safety; the [Defendants] must both be aware of the facts from which the inference could be drawn that a substantial risk of serious harm exists, and [they] must also draw the inference."

19. The Eighth Amendment proscribes only "the 'unnecessary and wanton infliction of pain,' including those sanctions that are 'so totally without penological justification that it results in the gratuitous infliction of suffering.'"

20. In Eighth Amendment cases "whether a malicious and sadistic act was done purposefully to cause harm," is the primary question. One court has held that "sadistic" means "extreme or excessive cruelty or delighting in cruelty" as opposed to "regular cruelty," and that "'maliciously' and 'sadistically,' have different meanings, and the two together establish a higher level of intent than would either alone." Some courts have said that the pain and suffering directly resulting from the "unnecessary and wanton

infliction of pain" can satisfy the requirement of showing "substantial harm."

21. One court found an Eighth Amendment violation where "the officers acted, if not 'maliciously and sadistically,' with at least a viciousness going beyond 'a good faith effort to maintain or restore discipline.'" In such other Eighth Amendment cases, the courts have held that deliberate indifference may be shown by "a series of incidents closely related in time" or by "systemic deficiencies [that] make suffering inevitable...." Officials must be shown to have known about the resulting risks (which courts and juries can conclude from a showing that the risks were obvious).

22. With the above detailed and explained, accompanied by the exhibits, Plaintiff has adequately and properly satisfied his obligation in presenting a prima facie case for redress.

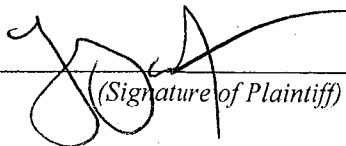
E. REQUEST FOR RELIEF

I believe that I am entitled to the following specific relief:

1. Issue a declaratory judgment that the Defendants' actions complained of herein violate Plaintiff's rights under the U.S. Constitution and as otherwise alleged herein;
2. Award Plaintiff monetary damages, compensatory and punitive, in an amount to be determined by/and at a trial;
3. (if it becomes applicable) Award Plaintiff the costs of suit and reasonable attorney's fees; and
4. Grant Plaintiff such other and further relief as the Court deems just and proper.

March 7, 2016

(Date)


(Signature of Plaintiff)

EXHIBIT

"A"



SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT
Detention and Corrections Bureau



INITIAL INMATE GRIEVANCE



GRIEVANCE APPEAL

☐ ADC
☒ CDC
☐ GHRC
☐ WVDC
☐ Type I Jail

Inmate's Name TRAJAN Paul GREEN Booking # 1305301385
Housing Location "F" Tank Date of Complaint January 7, 2014
Date of Incident 1-7-2014 Time of Incident AM - PM Location of Incident CDC & West Valley

EXPLAIN YOUR COMPLAINT (include dates, times and names of persons involved)

You have 10 days from the day the incident occurred to submit your grievance. You do not have a time limit if the grievance is used to report a sexual assault.

WAS NOT FED LUNCH!!!! As I very much strongly believe is the situation in my Case (No.: FWV130185a) because there has not been a full thorough investigation of my claims since my arrest on May 30, 2013 and also since I went to Trial with my very unprepared Atty. Mr. Gary Ablard Aug. 12-15, 2013 without knowing all of the evidence against me (i.e., per my Police Report (NO.: 111306325) In the "miscellaneous paperwork," regardless of all of my many several requests, to date I still have not been told what are the contents of the miscellaneous paperwork which may have or had proof/a LOWE's receipt for a purchase of new black gloves that would help prove I was set-up/fake evidence planted), I have been dropped through the cracks and/or just simply ignored! In specific regards to the lack of attention by the CDC Medical Dept. and/or Staff that ultimately led up to the excessive force that was applied to me by Dep. Boggust on Dec. 24, 2013 (that he says was a result of me ignoring three(3) direct orders he gave me to stand-up which is absolutely false and untrue, because of my

PAGE 1 of 4

(ATTACH ADDITIONAL PAGES IF NEEDED)

Inmate Signature SEE PAGE 4 of 4 Date _____

DO NOT WRITE BELOW THIS LINE - STAFF USE ONLY

You have 10 days from the date indicated below to complete the grievance investigation and return it to the inmate.

Received By _____ Date _____ Time _____
Employee's Name (please print)

Grievance # _____ Date _____ Assigned to _____

Original: Inmate's Booking Jacket

Copy: Inmate

Copy: Administration



SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

Detention and Corrections Bureau

☒ **CONT'D**
☒ **INITIAL INMATE GRIEVANCE**
☐ **GRIEVANCE APPEAL**

☐ ADC
☒ CDC
☐ GHRC
☐ WVDC
☐ Type I Jail

Inmate's Name TRAJAN Paul GREEN Booking # 1305301385Housing Location "F" Tank Date of Complaint January 7, 2014Date of Incident 1-7-2014 Time of Incident AM-PM Location of Incident CDC & West Valley**EXPLAIN YOUR COMPLAINT** (include dates, times and names of persons involved)

You have 10 days from the day the incident occurred to submit your grievance. You do not have a time limit if the grievance is used to report a sexual assault.

Sincerest and honest respect for authority, even though I am and have been falsely incarcerated, I have never been ordered to do anything more than once. I too again was dropped through the cracks! During my consultation with the Dietician Mrs. Coleman on Jan. 2, 2014 she repeatedly apologized to me for it taking so long for her to see me. Mrs. Coleman also repeated to me several times that she just never did see any emails to her regarding me needing to be seen. In addition, Mrs. Coleman also never made any mention to me that there is a typical approximate six (6) month wait as it is so indicated in the INMATE GRIEVANCE INVESTIGATION by Sgt. Huff! On Jan. 7, 2014 I was unexpectedly sent to West Valley for a right-shoulder X-ray. After finishing my Breakfast before leaving the Chowhall I asked Dep. Payne would my lunch be sent with me? His reply to me was "Green it's breakfast, worry about your lunch at lunch-time now hurry-up and get the fuck out the Chowhall," so fl-

PAGE 2 of 4

(ATTACH ADDITIONAL PAGES IF NEEDED)

Inmate Signature SEE PAGE 4 of 4 Date _____**DO NOT WRITE BELOW THIS LINE - STAFF USE ONLY**

You have 10 days from the date indicated below to complete the grievance investigation and return it to the inmate.

Received By _____ Date _____ Time _____
 Employee's Name (please print)

Grievance # _____ Date _____ Assigned to _____



SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

Detention and Corrections Bureau

CONT'D

☒ INITIAL INMATE GRIEVANCE☐ GRIEVANCE APPEAL

- ☐ ADC
☒ CDC
☐ GHRC
☐ WVDC
☐ Type I Jail

Inmate's Name TRAJAN Paul GREENBooking # 1305301385Housing Location "F" TankDate of Complaint January 7, 2014Date of Incident 1-7-2014Time of Incident AM-PMLocation of Incident CDC West Valley**EXPLAIN YOUR COMPLAINT** (include dates, times and names of persons involved)

You have 10 days from the day the incident occurred to submit your grievance. You do not have a time limit if the grievance is used to report a sexual assault.

Following orders I did exactly that and immediately exited towards Marshalling. While in Marshalling I then asked Transportation Dep. Kulowski if he knew if my lunch was also being transported and he replied to me "Worry about what you eat for lunch at lunch time at West Valley" and then ordered me to get in line to be chained for transportation and as always, I complied! At West Valley now upon being walked down to Medical all the other Inmates were given their PB&J sandwich lunches. Upon my arrival to Medical I immediately made two (2) requests to Dep. Diez and to the X-ray Tech. #1) If possible could I please have a quick word with the Dietician Mrs. Coleman and #2) Since it was documented in the computer (in my Medical Diet File) that I cannot consume /digest PB&J sandwiches could I please be given a meat sandwich instead and a piece of fresh fruit as my snack? The X-ray Tech and Dep. Diez both informed me that Mrs. Coleman was off-site but the Head Nurse in Charge Ms. Calderon was emailing Mrs. Coleman about my requests and to sit tight for a

PAGE 3 of 4

(ATTACH ADDITIONAL PAGES IF NEEDED)

Inmate Signature SEE PAGE 4 of 4

Date _____

DO NOT WRITE BELOW THIS LINE - STAFF USE ONLY

You have 10 days from the date indicated below to complete the grievance investigation and return it to the inmate.

Received By _____

Employee's Name (please print)

Date _____

Time _____

Grievance # _____

Date _____

Assigned to _____



SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

Detention and Corrections Bureau

~~CONT'D~~
~~INITIAL~~ INMATE GRIEVANCE

☐ GRIEVANCE APPEAL

☐ ADC
☒ CDC
☐ GHRC
☐ WVDC
☐ Type I Jail

Inmate's Name

TRAJAN Paul GREEN

Booking #

1305301385

Housing Location

"F" Tank

Date of Complaint

January 7, 2014

Date of Incident

1-7-2014

Time of Incident

AM-PM

Location of Incident

CDC # West Valley

EXPLAIN YOUR COMPLAINT (include dates, times and names of persons involved)

You have 10 days from the day the incident occurred to submit your grievance. You do not have a time limit if the grievance is used to report a sexual assault.

while and wait for her to reply! After sometime had passed and not having been told anything I then also made my lunch/sandwich request to Dep. Warren as well and he told me that he would contact the Kitchen Supr. to see about accomodating me! After some more time had passed around 10:30AM we were walked back to the holding cell area and I again made my plea to Dep. Kulowski and he ignored me and gave no reply. After hours went by Dep. Macias came to the CDC holding cell #20 to chain/handcuff us and I also asked him about getting a meat sandwich to eat and he replied to me "Don't worry about lunch, I haven't eaten either." At that point because my stomach was in excruciating discomfort I then asked Dep. Macias could he please not put the waistchains so tight and he told me "Shut the f--- up and quit crying about lunch and your stomach!" I did not eat again until late dinner-time back at CDC at which time I notified Sgt. Huff about what transpired! Henceforth is the reason for this particular Grievance.

PAGE 4 of 4

(ATTACH ADDITIONAL PAGES IF NEEDED)

Inmate Signature

Date

Jan. 8, 2014

DO NOT WRITE BELOW THIS LINE - STAFF USE ONLY

You have 10 days from the date indicated below to complete the grievance investigation and return it to the inmate.

Received By

Employee's Name (please print)

Date

Time

Grievance #

Date

Assigned to

EXHIBIT

"B"



**SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT
DETENTION AND CORRECTIONS BUREAU**

- ☐ ADC
☒ CDC
☐ GHRC
☐ WVDC
☐ Type I Jail

INMATE GRIEVANCE INVESTIGATION

Date January 15, 2014

Grievance # 301401016

Inmate's Name GREEN, TRAJAN

Booking # 1305301385

Investigation Conducted By M. SWIFT, RN

Employee # _____

SUMMARY OF COMPLAINT AND FINDINGS

COMPLAINT:

Mr. Green stated that he has a gastrointestinal disorder and cannot take medications on an empty stomach. He was in the medical area on January 8, and the Nurse gave him high blood pressure medication. He stated that he has passed out twice from not taking food with the medication. He was requesting to hold on to his pills until lunch time and instead the Nurse wanted him to sign a refusal. He saw Dr. P and she was rude and ended the conversation.

FINDING:

Mr. Green is taking medications that are not usually given with food. Mr. Green was seen by the Dietitian and a mid-morning snack and a night time snack were ordered. His morning medication was changed to night time. He saw Dr. P for another problem and during the visit, he stated that he needed food when he takes his medication. Dr. P told him to save his snack and eat his snack when he got his medications.

Unit dose medications must be taken in front of the Medical staff.

ACTION TAKEN

None at this time. Mr. Green is getting a mid-morning snack and a night-time snack. He should be able to eat his snack when he receives his medication.

Reviewed By [Signature]

Duty Lieutenant 1/17/14

Approved By [Signature]

Facility Administrator

Written reply given to inmate on _____

Date

At _____

Time

By _____

Print Name

This complaint has been discussed with me and I have been advised of the findings.

Inmate Signature

Date

☐ Original: Inmate's Booking Jacket

☐ Copy: Inmate

☐ Copy: Administration

INMATE COPY PLEASE DELIVER

EXHIBIT

"C"



SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT
Detention and Corrections Bureau

☐ ADC
☐ CDC
☐ GHRC
☒ WVDC
☐ Type I Jail



INITIAL INMATE GRIEVANCE



GRIEVANCE APPEAL

URGENT ATTENTION REQUIRED PLEASE !!!!

Inmate's Name TRAJAN Paul GREEN Booking # 1305301385

Housing Location 8E-12 Date of Complaint January 19, 2014

Date of Incident Jan. 19, 2014 Time of Incident PM After Meds Location of Incident 8E Tank

EXPLAIN YOUR COMPLAINT (include dates, times and names of persons involved)

"SPECIAL DIET, NO PM SNACK GIVEN!" This evening **AGAIN** I did not receive my PM/Late Night Snack! As is notated in my Medical Jacket I suffer from Gastrointestinal Disorder, and I also take meds on a daily, at night. Tonight as ordered I took my meds with no food on my stomach and it is now affecting ^{me} adversely causing me **"SEVERE"** stomach discomfort! As part of my SPECIAL DIET I am also to receive two(2) in between meals snacks to counteract my above situation. My meal trays and snacks have been very wrong in content and times to be received. In addition, **FIRST** I have an open previous Grievance (#301401014) under current investigation and **SECOND**, on Jan. 12, 2014 per the Medical Staff I put in a FOLLOW-UP Request to see Dietician Mrs. Coleman to specifically address the above issues/complaints but I've received no response or call to this point. **PLEASE-HELP ME IN THIS MATTER...** it is significantly affecting my health!!!

(ATTACH ADDITIONAL PAGES IF NEEDED)

Inmate Signature [Signature] Date January 19, 2014

DO NOT WRITE BELOW THIS LINE - STAFF USE ONLY

Received By JONES Date 1/26/14 Time 0011
Employee's Name (please print)

Grievance # _____ Date _____ Assigned to _____

Original: Inmate's Booking Jacket

Copy: Inmate

Copy: Administration

EXHIBIT

"D"



**SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT
DETENTION AND CORRECTIONS BUREAU**

☒ WDC Medical
☐ GHRC Medical
☐ CDC Medical
☐ ADC Medical

**INMATE MEDICAL
GRIEVANCE INVESTIGATION**

Date 02/01/2014Grievance # 1434G01109Inmate's Name Green, TrajanBooking # 1305301385

Investigation Conducted By _____

Employee # G2743

SUMMARY OF COMPLAINT AND FINDINGS

Complaint:

You state that you are not receiving your PM and bedtime snack. You state that you are not getting your snack to take with your bedtime meds. - OVER -

Findings:

A review of your grievance dated 01/19/2014, your medical record and other documents (as applicable) indicate that your concerns have been appropriately addressed by our medical staff. Your diet has been entered as ordered by the Dietician by medical staff. If you should have any other concerns, please feel free to submit a Health Services Request Form so that you can be evaluated at nurse sick call.

ACTION TAKEN

No action required

Reviewed By _____

[Signature]
Nursing Supervisor II

Approved By _____

[Signature]
Health Services Administrator

Written reply given to inmate on _____

Date

At _____

Time

By _____

Print Name

This complaint has been discussed with me and I have been advised of the findings.

Inmate Signature

Date

☐ Original: Inmate's Medical Record☐ Copy: Inmate



**SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT
DETENTION AND CORRECTIONS BUREAU**

☐ ABC
☐ CDC
☐ GHRC
☒ WVDC
☐ Type I Jail

INMATE GRIEVANCE INVESTIGATION

Date 2-2-14Grievance # 1434G01109Inmate's Name Green, Trajan, PaulBooking # 1305301385Investigation Conducted By Ron Baldwin, Food Service SupervisorEmployee # D4281

SUMMARY OF COMPLAINT AND FINDINGS

Complaints: Inmate states that He did not receive his PM snack. Inmate states that his trays have been "very wrong in content and time delivered.

Findings: Inmates current diet is a combination-Bland-no peas/nuts/canned fruit- green salad lunch & dinner 2 snacks) His snacks are sent from the kitchen @ 0900 and 2100 hrs. Unit delivery is controlled by the unit staff. Inmate is directed to notify the unit staff if the tray and the accompanying diet slip do not match. Unit staff will contact the kitchen to correct the issue
This Grievance is unsubstantiated.

ACTION TAKEN

Reviewed the diet.
Consulted the dietician
Interviewed the inmate with the dietician.
Reviewed kitchen contact procedures with the unit staff
Reviewed the diet with the diet cooks..

Reviewed By R. Markogard
Duty LieutenantApproved By Tim O'Connor
Facility Administrator

Written reply given to inmate on

2/5/14
Date

At

1049
Time

By

TAP 1A
Print Name

This complaint has been discussed with me and I have been advised of the findings.

Inmate Signature_____
Date☐ Original: Inmate's Booking Jacket☐ Copy: Inmate

INMATE COPY PLEASE DELIVER
Copy: Administration

EXHIBIT

"E"



SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

Detention and Corrections Bureau



INITIAL INMATE GRIEVANCE



GRIEVANCE APPEAL

- ☐ ADC
☐ CDC
☐ GHRC
☒ WVDC
☐ Type I Jail

Inmate's Name TRAJAN Paul GREENBooking # 1305301385Housing Location 8E-12Date of Complaint January 26, 2014Date of Incident Jan. 26, 2014 Time of Incident Breakfast Location of Incident 8E Tank

EXPLAIN YOUR COMPLAINT (include dates, times and names of persons involved)

"DIET, AGAIN DID NOT RECEIVE BREAKFAST !!!"

On Breakfast Ticket I was to receive Oatmeal and I did not. I immediately brought this to the attention of the Deputy on duty (Jones). He politely informed me that it was around 8 AM and he was told the Kitchen was closed and that I would not be able to have it corrected. As is documented I suffer from Gastrointestinal Disorder and this is not the first time I have been caused to miss a meal because of my Meal tray not being correct. I can only reiterate, with all due respect, how missing a meal causes me "SEVERE" stomach discomfort! PLEASE also see Grievance dated January 19, 2014 "SPECIAL DIET, NO PM SNACK GIVEN!"

(ATTACH ADDITIONAL PAGES IF NEEDED)

Inmate Signature JJ ADate January 26, 2014

DO NOT WRITE BELOW THIS LINE - STAFF USE ONLY

Received By JONES

Employee's Name (please print)

Date 1/26/14Time 22:37

Grievance # _____

Date _____

Assigned to _____

Original: Inmate's Booking Jacket

Copy: Inmate

Copy: Administration

EXHIBIT

"F"



SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT
Detention and Corrections Bureau



INITIAL INMATE GRIEVANCE



GRIEVANCE APPEAL

☐ ADC
☐ CDC
☐ GHRC
☒ WVDC
☐ Type I Jail

Inmate's Name TRAJAN PAUL GREEN Booking # 1305301385
Housing Location 8E-12 Date of Complaint March 9, 2014
Date of Incident 3-8-14 Time of Incident Dinner CHOW Location of Incident 8E, Entire Dorm

EXPLAIN YOUR COMPLAINT (include dates, times and names of persons involved)

On March 8, 2014 at Dinner Chow two(2) Inmates (Caucasians) got into a very light-weight physical altercation, which Dep. Williams & Dep. Moultrie responded to. Upon the Deputies response after addressing the altercation the entire dorm was ordered back to our bunks and to leave our Dinner trays that were untouched at that point on the tables. Dep. Williams then ordered the Inmate Servers to collect ALL the trays, promising assuring us we would be fed, which we NEVER were! A verbal complaint was personally made to a Sgt. A. Hist who said he would look into getting us fed which again NEVER happened! I personally & physically suffer from Gastrointestinal Disorder I take nightly meds for severe sleep deprivation as a direct result of my FALSE incarceration/prosecution as well as High Blood Pressure. I am not to take my meds on an empty stomach, as ordered by the Pysch Dr. 7-12-14. The evening of Mar. 8 a VERY RUDE Nurse Nakasio after the above detailed explanation, still forced me to take the meds, on an empty stomach ^{causing me severe} discomfort & pain!

(ATTACH ADDITIONAL PAGES IF NEEDED)

Inmate Signature

Date March 9, 2014

DO NOT WRITE BELOW THIS LINE - STAFF USE ONLY

Received By

S. CHAU

Employee's Name (please print)

Date 03/11/14

Time 0328

Grievance #

Date

Assigned to

EXHIBIT

"G"

- ☐ ADC
☐ CDC
☐ GHRC
☒ WVDC
☐ Type I Jail



**SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT
DETENTION AND CORRECTIONS BUREAU**

INMATE GRIEVANCE INVESTIGATION

Date 03-14-14

Grievance # 1434G03071

Inmate's Name Trajan Green

Booking # 1305301385

Investigation Conducted By D. Stuart

Employee # S3231

SUMMARY OF COMPLAINT AND FINDINGS

COMPLAINT- Green alleges on 03-08-14, during dinner, two inmates began fighting. Deputy Williams and Deputy Moultrie responded. Green alleges after the "Dorm was back in order" they were all denied dinner and ordered to remain on their bunks. A Sergeant was present and stated he would look into getting them fed. Green alleges they did not receive dinner that night. Additionally, he advised the Medication Nurse that he did not receive dinner and the doctor instructed him to take his medication after his meal. Green alleges the Medication Nurse forced him to take his medication.

FINDINGS: This matter is being investigated by facility supervisors. All investigations involving staff misconduct are confidential under current laws.

ACTION TAKEN

An investigation is being conducted. Inmate Green's allegations, if substantiated, will be handled appropriately.

Reviewed By *R. M. Akegard*
Duty Lieutenant

Approved By *[Signature]*
Facility Administrator

Written reply given to inmate on 3-20-14 At 0931 By *PETERSON*
Date Time Print Name

This complaint has been discussed with me and I have been advised of the findings.

Inmate Signature

Date

☒ Original: Inmate's Booking Jacket

☐ Copy: Inmate

☐ Copy: Administration

INMATE COPY PLEASE DELIVER

8E
12

EXHIBIT

"H"



SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT
Detention and Corrections Bureau

☒ **INITIAL INMATE GRIEVANCE**
☐ **GRIEVANCE APPEAL**

☐ ADC
☐ CDC
☐ GHRC
☒ WVDC
☐ Type I Jail

Inmate's Name TRAJAN PAUL GREEN Booking # 1305301385
Housing Location 8E-12 Date of Complaint March 24, 2014
Date of Incident March 24, 2014 Time of Incident DINNER CHOW Location of Incident Dorm 8E

EXPLAIN YOUR COMPLAINT (include dates, times and names of persons involved)

I and another Inmate (Muslim decent) were refused/not allowed to obtain our eating utensil/spoon to consume/eat our Dinner meal by Deputy Moultrie. I personally, very respectfully repeatedly asked permission to PLEASE be allowed to obtain my spoon, which Moultrie denied me. Moultrie told me to eat with my fingers, that Inmates in other Tanks were eating with their fingers & further stated that he didn't give-a-fuck if I was able to eat or not because he was getting off work soon and he was going to eat! I tried again very respectfully to explain to him that I have health/stomach complications and that I must eat/have food on my stomach in order to take/consume my Nightly medication, he still denied me! Because of this it has again caused my stomach SEVERE PAIN & discomfort and as a direct result I had to refuse to take my MUCH needed/required Nightly Meds!!! In addition, Moultrie also refused to provide me with a Grievance I requested in order to properly report the above stated incident!

(ATTACH ADDITIONAL PAGES IF NEEDED)

Inmate Signature *[Signature]*

Date March 24, 2014

DO NOT WRITE BELOW THIS LINE - STAFF USE ONLY

Received By E. RAMOS / D8851 Date 032514 Time 1140 HRS.
Employee's Name (please print)

Grievance # _____ Date _____ Assigned to _____

Original: Inmate's Booking Jacket

Copy: Inmate

Copy: Administration

EXHIBIT

"I"



**SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT
DETENTION AND CORRECTIONS BUREAU**

- ☐ ADC
☐ CDC
☐ GHRC
☒ WVDC
☐ Type I Jail

INMATE GRIEVANCE INVESTIGATION

Date 03-30-14Grievance # 1434G0141Inmate's Name Trajan GreenBooking # 1305301385Investigation Conducted By D. StuartEmployee # S3231

SUMMARY OF COMPLAINT AND FINDINGS

COMPLAINT- Green alleges on 03-24-14, during dinner he asked Deputy Moultrie permission to retrieve his spoon from his bunk draw and was denied. Green alleges Moultrie told him to eat with his fingers like the other inmates housed in unit 8. Additionally, Moultrie stated "He didn't give a fuck if I was able to eat or not because he was getting off work soon and he was going to eat." Green alleges he informed Moultrie he had health and stomach complications which required him to take medication nightly. Green alleges he had to refuse his medication that evening, which caused him severe stomach pain. Green further alleges Moultrie refused to provide him with a grievance form.

FINDINGS: Moultrie said on 03-24-14, he was informed inmates housed in unit 8, segment E were threatening to "Smash" another inmate, housed in segment E. The inmates in segment E were immediately placed on bunk status and assigned seating was implemented during dinner. Green and his cell mate were upset about the assigned seats and refused to eat. After the other inmates had finished eating dinner, they returned to their bunks. At that time Green also returned to his bunk and retrieved his spoon. Moultrie advised he observed Green consume his dinner. Additional Moultrie denied using profanities when interacting with Green and also denied refusing to provide Green with a grievance form.

ACTION TAKEN

On 03-30-14, I contacted Deputy Moultrie.

Administrative Disposition: Green's allegations are unfounded. Staff's actions were in accordance with Department Policy. Moultrie advised Green was NOT denied his spoon or meal. Moultrie denied using profanities.

Reviewed By

Duty Lieutenant

Approved By

Facility Administrator

Written reply given to inmate on

Date

At

Time

By

Print Name

This complaint has been discussed with me and I have been advised of the findings.

Inmate Signature

Date

☒ Original: Inmate's Booking Jacket

☐ Copy: Inmate

☐ Copy: Administration

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EXHIBIT

"J"



**SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT
DETENTION AND CORRECTIONS BUREAU**

- ☐ ADC
☐ CDC
☐ GHRC
☒ WVDC
☐ Type I Jail

INMATE GRIEVANCE INVESTIGATION

Date 5/10/2014Grievance # 1434G03141(1)Inmate's Name Green, TrajanBooking # 1305301385Investigation Conducted By Sergeant K. OwensEmployee # O0506

SUMMARY OF COMPLAINT AND FINDINGS

COMPLAINT:

Green submitted a grievance on March 24, 2014, alleging Deputy Moultrie did not allow him to obtain eating utensils. Green also alleged Deputy Moultrie told him he did not give a fuck if he was not able to eat.

FINDINGS:

Green's allegation of unprofessional behavior or speech by staff is taken seriously and as a result will be handled as a personnel investigation. As such, Green is not privy to the results of any type of administrative action taken against staff.

ACTION TAKEN

On 5/10/14, I interviewed Green in Unit 8.

Reviewed By

Duty Lieutenant

Approved By

Facility Administrator

Written reply given to inmate on

Date

At

Time

By

Print Name

This complaint has been discussed with me and I have been advised of the findings.

Inmate Signature

Date

☒ Original: Inmate's Booking Jacket☐ Copy: Inmate☐ Copy: Administration

INMATE COPY PLEASE DELIVER

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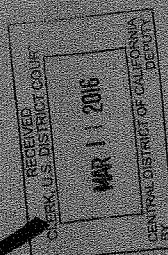
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OFFICE OF THE CLERK
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Los Angeles, CA 90012



CALIFORNIA MENS COLONY STATE PRISON
SAN JUAN ISLAND, CA 94048-0001

Name: TANJAN PAUL GREEN

0001 AT-0002 01/16

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